

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Estt., - PR&RD Dept., - NMRs – Reinstatement of Sri R. Suri Babu, NMR, Office of the Deputy Executive Engineer, PR Division, Narasaraopet into service as per the orders of the Hon'ble High Court of A.P. in W.P.M.P.No.7647/2007 and W.V.M.P. No.1164/2007 in W.P.No.5989/2007, dated 1-10-2007 – Permission – Accorded.

PANCHAYAT RAJ & RURAL DEVELOPMENT [ESTT, II.A] DEPARATMENT

G.O.Rt.No. 888

Dated: 12-06-2009.
Read the following:-

1. From the E.N.C.[PR], Hyd., Lr. No.SO.III[1]/W.C.E./6997/2003, Dated:21-09-2006.
2. G.O.Rt.No.1761,PR&RD [Estt.,II.A] Dept., dated.12-12-2006.
3. From the Assistant Registrar, High Court of A.P. Interim Order in W.P.No.5989/2007,dated 26-3-2007.
4. Judgment of High Court of A.P. in W.P.M.P.No.7647 of 2007 and WVMP No.1164 of 2007 in W.P.No.5989/2007, dated 01-10-2007.
5. From the ENC., PR, Hyd., Lr. No.SO.I[2]/WCE/6997/03, Dated 1-1-2009.

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ORDER:

In the reference 1st read above, the Engineer-in-Chief, Panchayat Raj has stated that, Sri R. Suri Babu was engaged as NMR in PR Sub-Division, Narasaraopet with effect from 01-11-1992 and continuously engaged upto 01-12-1993. Later he voluntarily left the employment without any information to the concerned and did not join again. He filed ID No.298/94, dated 10-11-2000 in Labour Court, Guntur District for his reinstatement with back wages. The Labour Court, Guntur has passed an award in ID No.298/94, directing the respondents to reinstate the work man into service with back wages and with continuity of service. The Dy. Executive Engineer, PR Sub-Division, Narasaraopet, appealed in the High Court against the ID No. 298/94, award and to implement the Section 17-B of ID Act. The Hon'ble High Court was pleased to pass stay orders under Section 17-B, against the ID Act in WP No.12852/01, dated 27-06-2001 and later the said WP was dismissed on 15-03-2005. In obedience to the orders of Court, the Superintending Engineer, PR Guntur has permitted the Executive Engineer, PR, Narasaraopet to pay the back wages due to Ex. NMR, for the period from 28-06-2001 to 28-02-2005. But, the work man could not be reinstated into employment as per the Act 2/94 and Act 27/98 and filed WA No.1293/2005 by the Dy. Executive Engineer, PR Sub-Division, Narasaraopet and Executive Engineer, PR, Narasaraopet before Division Bench in Hon'ble High Court, Hyderabad. The work man has filed Contempt Case No.415/2006 for his reinstatement into employment with back wages. The Hon'ble High Court has directed the authorities to reinstate the petitioner into service and to pay back wages from the date of award passed by the Labour Court, Guntur District in ID No.298/94, dated 10-11-2000.

2. The Engineer-in-Chief [PR] has requested the Government, to accord permission for payment of back wages from 10-11-2000 to 27-06-2001 and from 01-03-2005 to 31-08-2006 onwards to Sri R. Suri Babu, NMR, O/o. the Dy. Executive Engineer [PR] Narasaraopet, Guntur District and there after to remove the NMR as per the ID Act duly ratifying the action in having permitted the Dy. Executive Engineer [PR] for payment of back wages earlier in anticipation of Government orders.

3 In the reference 2nd read above, Government have permitted the Engineer-in-Chief [PR], Hyderabad for payment of back wages from 10-11-2000 to 27-06-2001 and 01-03-2005 to 31-08-2006 to Sri R. Suri babu, NMR, O/o. the Dy. Executive Engineer [PR] Narasaraopet, Guntur District and there after to remove the NMR as per the Provisions of I.D. Act.

4. Sri R. Suri Babu filed W.P.No.5989/2007 before High Court to suspend the Government Order in the reference 2nd read above, and to continue his services from 27-12-2006. The High Court passed interim orders on 26-03-2007 which are as follows:-

“There shall be interim direction to the respondents not to discontinue the services of the petitioner while continuing juniors of the petitioner in service since he is entitled for preferential treatment under Sections 25-H & G of the ID Act”.

5. The Government filed WVMP No.1164/2007 to vacate the stay orders passed in W.P.No.5989/2007 and High Court in its orders dated 01-10-2007 has made “in norms interim orders does not require to be disturbed during the pending of the Writ Petition. Therefore, the same is made absolute and the vacate stay petition is dismissed”.

6. Government after careful examination of the matter hereby accord permission to the Engineer-in-Chief [PR], Hyderabad to reinstate Sri R. Suri Babu, NMR into service by implementing the orders of the Hon'ble High Court, dated 26-03-2007 and 01-10-2007, subject to out come the final disposal of the case by the Hon'ble High Court of A.P.

7. The Engineer-in-Chief [PR] shall take necessary action accordingly.

8. This order issues with the concurrence of Finance [PC.III] Department vide their U.O.No.5633/103/A1/PC.III/2009, dated: 02-03-2009.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

CHITRA RAMCHANDRAN
SECRETARY TO GOVERNMENT

To

The Engineer-in-Chief [PR], Hyderabad.

Copy to:-

The Superintending Engineer [PR], Guntur,

The Executive Engineer [PR], Narasaraopet, Guntur District.

The Finance [PC.III] Department.

The P.S. to Minister [PR]

The P.S. to Secretary to [PR].

Sc/Sf.

//FORWARDED BY ORDER//

SECTION OFFICER